

 <p>State of Connecticut Department of Correction</p> <p><b>ADMINISTRATIVE DIRECTIVE</b></p>	Directive Number 9.8	Effective Date 7/20/15	Page 1 of 8
	Supersedes Furloughs, dated 11/13/2012		
Approved By  Commissioner Scott Semple	Title Furloughs		

1. **Policy.** The Department of Correction may provide furlough opportunities to eligible inmates consistent with public safety, rehabilitation and sound correctional practices.
2. **Authority and Reference.**
  - A. Connecticut General Statutes, Sections 14-215(c), 14-227(a), 18-81, 18-101a (as amended by Public Act 09-7, Section 35, September Special Session), 53a-169, 54-127 and 54-231.
  - B. Administrative Directives 4.5, Victim Services; 6.6, Reporting of Incidents; 7.5, Escapes; 9.5, Code of Penal Discipline; 9.6, Inmate Administrative Remedies; 10.5, Public Service Work; and 11.3, Remand of Offenders to Actual Custody.
  - C. American Correctional Association, Standards for the Administration of Correctional Agencies, Second Edition, April 1993, Standard 2-CO-4G-01.
  - D. American Correctional Association, Standards for Adult Correctional Institutions, Fourth Edition, January 2003, Standard 4-4443.
  - E. American Correctional Association, Performance-Based Standards for Adult Local Detention Facilities, Fourth Edition, June 2004, Standard 4-ALDF-5B-16.
3. **Definitions and Acronyms.** For the purposes stated herein, the following definitions and acronyms apply:
  - A. COLLECT. Connecticut Online Law Enforcement Communications Teleprocessing.
  - B. Deathbed/Funeral Furlough. The discretionary release of an inmate to visit a dying relative or to attend the funeral of a relative.
  - C. Furlough. The discretionary release of an inmate to community supervision for an authorized purpose as outlined in Section 4 of this Directive and permitted by Section 18-101a of the Connecticut General Statutes (as amended by Public Act 09-7, Section 35, September Special Session).
  - D. Medical Furlough. The discretionary release of an inmate to obtain medical services not otherwise available.
  - E. Reentry Furlough. The discretionary release of an inmate to an approved residence in the community for any compelling reason consistent with rehabilitation, prior to a planned discharge or release to discretionary parole supervision during which the inmate must report to a parole officer in lieu of returning to a correctional facility.
  - F. Relative. A member of the inmate's immediate family (i.e., legal spouse, parent, grandparent, child, grandchild, or sibling; to include a step/foster relationship).
  - G. Reintegration Furlough. The discretionary furlough of an inmate participating in a community reintegration program for any authorized purpose consistent with rehabilitation that supports the inmate's preparation for successful community reintegration upon discharge from the Department of Correction.

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4. Authorized Purposes for Furlough. The Commissioner of Correction or designee, may extend the limits of the place of confinement of an inmate as to whom there is reasonable belief he or she will honor his or her trust, by authorizing the inmate under prescribed conditions to visit a specifically designated place or places, within or without the state, for periods not exceeding 45 days and return to the same or another institution or facility. Such periods may be renewed at the discretion of the Commissioner or designee. Such furlough may be granted only to permit:

- A. a visit to a dying relative;
- B. the attendance at a funeral of a relative;
- C. the obtaining of medical services not otherwise available;
- D. the contacting of prospective employers; or,
- E. any compelling reason consistent with rehabilitation.

Any inmate who fails to return from furlough as provided in the furlough agreement shall be guilty of the crime of escape in the first degree in accordance with Section 13 of this Directive.

5. Duration and Frequency of Furlough.

- A. Deathbed/funeral furloughs may be authorized for up to 72 hours. Such furloughs may be extended by the Unit Administrator for up to an additional 72 hours for an unforeseen legitimate extraordinary reason not anticipated at the beginning of the furlough. Such extensions shall be reported in writing with justification to the appropriate District Administrator by the next business day. Furloughs for such inmates shall not be restricted by frequency but shall be limited to the time required for such programs. Furloughs shall not be required for inmates in community release (level 1).
- B. Medical furloughs may be authorized for up to 15 days and renewed as required.
- C. The frequency of furloughs for community release (level 1) inmates shall be at the discretion of the director of the community program. Duration shall be in accordance with Section 5(A) of this Directive.
- D. A reentry furlough may be authorized for up to 45 days prior to a scheduled discharge from incarceration or a parole date established by the Board of Pardons and Paroles. Upon approval of the furlough by the Unit Administrator, the Victim Services Unit shall be notified of the impending reentry furlough in accordance with Administrative Directive 4.5, Victim Services. Reentry furloughs shall be in compliance with Section 6 of this Directive.
- E. An inmate in a halfway house, inpatient program, or on work or educational release may be allowed to participate in community release programming and a furlough shall not be required for such participation.

6. Eligibility. The following criteria shall be used to determine furlough eligibility:

- A. The inmate shall be classified as an overall level 1, 2 or 3.
- B. Class A, B and C disciplinary reports, which are not deemed to impact staff or public safety, may be waived at the discretion of the Unit Administrator. An inmate found guilty of an intentional/direct assault on a Department of Correction employee, shall be ineligible for furlough consideration during the current incarceration unless waived by the appropriate District

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- Administrator. Deathbed/funeral and medical furloughs shall not be restricted by this criterion.
- C. The inmate shall have a verified reason for the furlough and an approved residence/destination, transportation and sponsor.
    - 1. Approved destinations for inmates participating in community reintegration programs may include but are not limited to; job interviews, employment, pre-employment or vocational training, schools and academic institutions, treatment programs, community service programs and religious services.
    - 2. Transportation to and from approved community reintegration destinations may be provided by the business, organization or community program that is sponsoring the inmate, but is subject to verification and approval.
  - D. The inmate shall have served a minimum of 30 days or forty percent (40%) of the estimated length of confinement, whichever is greater. Deathbed/funeral and medical furloughs shall not be restricted by this criterion. An inmate serving a sentence of 45 days or less must serve a minimum of 50% before participating in a reentry furlough. Inmates shall serve a minimum of 30 days in order to be eligible for a Reintegration Furlough.
  - E. An inmate's eligibility for furlough shall be based on the maximum release date or voted to parole date and shall not be based on parole eligibility.
  - F. With the exception of a medical furlough, an inmate shall not be eligible for a furlough during the mandatory portion of a sentence for Driving While Intoxicated (Section 14-227(a) of the Connecticut General Statutes) or driving under suspension offense that originally was related to Driving While Intoxicated (Section 14-215(c) of the Connecticut General Statutes). An inmate may be considered for a medical furlough under this subsection if authorized by the Commissioner.
  - G. With the exception of a medical furlough, a Level 5 inmate shall not be eligible for a furlough.
  - H. Inmates who are an overall Level 1, 2 or 3 and have been incarcerated for conviction of a level 4 offense shall not be eligible for a furlough until within 12 months of discharge or voted to parole date. Medical furloughs or Reintegration Furloughs shall not be restricted by this criterion.
  - I. Pretrial and sentenced inmates with cases pending for which bond has not been posted shall be ineligible for all furloughs except deathbed/funeral and medical furloughs. This includes all charges pending even if the other jurisdiction has indicated that they will not extradite the inmate, except that if official documentation from another state exists which informs the Department that the other jurisdiction will not extradite and the charge equates to a risk level 3 or lower offense; then the detainer score for this (these) charge(s) shall be removed.
  - J. There shall be no current parole violations for which a revocation hearing has not been held.
  - K. No inmate shall be entitled to participation in the furlough program. Discretion concerning the frequency, length of furlough and the conditions imposed on each furlough shall be consistent with this Directive and otherwise within the authority of the Unit Administrator. Approval for a furlough carries no implied consent for subsequent furloughs.

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7. Community-Based Eligibility. A level 1 inmate in a halfway house shall be eligible for consideration for furlough at the discretion of the Director of Parole and Community Services or designee, and shall not be subject to Section 6 of this Directive with the exception of Section 6(F), which shall apply.
8. Suitability Factors. The Unit Administrator or the Director of Parole and Community Services shall consider the following factors when reviewing an inmate for furlough participation:
  - A. Public safety.
  - B. Criminal history, to include: severity and patterns of violence; sexual offenses; escape; institutional behavior; significant history of domestic violence; and Security Risk Group affiliation.
  - C. Program need or benefit to include: substance abuse; mental health status; and prior program participation/failure.
  - D. Any record of victim concerns to include any active restraining orders or victim notifications.
  - E. Any prior performance on community supervision.
9. Reentry Furloughs to Voted-to-Parole Date. Reentry furloughs up to 45 days in advance of an inmate's voted-to-parole date may be authorized at the discretion of the Director of Parole and Community Services or designee(s) in order to provide inmates with an extended opportunity to participate in assessments and/or programs, for employment and educational opportunities, to secure a stable residence, and/or to make recommendations to the Board of Pardons and Paroles regarding parole conditions.

The procedures detailed in Section 6(A through C) of this Directive shall be waived for this purpose only. The remaining eligibility criteria, Section 6(D through K) shall apply. The procedures detailed in Section 10(A through C) of this Directive shall not apply and Parole and Community Services form PCS 4102, Sponsor Questionnaire and Verification shall replace form CN 9802, Furlough Sponsor Questionnaire/Agreement in this case (reentry furloughs to voted-to-parole date) and shall be completed by designated parole staff. All other sections including Section 10(D) of this Directive shall still apply.

The electronic release authorization sent by the Parole and Community Services Division to the facility housing the inmate with the language "approved for REF effective" with a specific date shall serve as notice to the facility of the approval of the reentry furlough. Upon receipt of the release authorization, the designated facility staff shall transcribe the additional conditions on the inmate's parole agreement onto form CN 9804, Reentry Furlough Agreement, and shall have the inmate sign the Reentry Furlough Agreement in accordance with Section 12(A) of this Directive and shall forward a copy to the supervising parole officer via facsimile machine or scanned as an e-mail attachment. The original CN 9804 shall be placed in the inmate's master file.

The following situations shall make an inmate ineligible for release to reentry furlough to parole supervision:

- A. Inmates being released directly to transfer parole;
- B. Inmates being released directly to special parole unless extenuating circumstances exist (e.g., the availability of residential placement);

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- C. Inmates whose parole has been rescinded and who have been re-paroled;
- D. Inmates whose parole has been revoked and who have been re-paroled;
- E. Inmates whose parole has been revoked and reinstated or rescinded and reinstated;
- F. Inmates for whom the voted-to-parole date has been off-set by the Board of Pardons and Paroles; and,
- G. Inmates whose parole conditions include the completion of a mandatory residential treatment program or inpatient program unless the inmate has satisfactorily satisfied this stipulation.

If, based on the factors detailed in Section 8 of this Directive, a parole manager has reason to believe that an inmate is NOT suitable for a reentry furlough to voted-to-parole date; the parole manager may conduct a case conference with the Deputy Director of Parole and Community Services or higher authority. Any denial of an inmate's release to a reentry furlough to voted-to-parole date must be authorized by the Deputy Director of Parole and Community Services or higher authority.

Inmates assigned to either the Special Management Unit or the Mental Health Unit may be released to reentry furlough at the discretion of the parole managers assigned to either of those units or higher authority.

10. Application and Decision.

- A. When considering an inmate for a furlough, the Unit Administrator or designee shall initiate form CN 9801, Furlough Application/Decision. The Unit Administrator or designee shall forward a copy of CN 9802, Furlough Sponsor Questionnaire/Agreement to the inmate's proposed sponsor which the sponsor shall complete and return. In the case of a reentry furlough, this process may be conducted telephonically using form CN 9802, Furlough Sponsor Questionnaire/Agreement. The Unit Administrator or designee shall verify that CN 9802, Furlough Sponsor Questionnaire/Agreement has been completed to include the:
  - 1. reason for the furlough;
  - 2. reliability of the transportation;
  - 3. identity and residence of sponsor;
  - 4. proposed furlough residence (which shall be with the sponsor); and,
  - 5. suitability of the sponsor. The sponsor shall:
    - a. not be a Department employee except an immediate family member as defined in Section 3(E) of this Directive;
    - b. not be a co-defendant;
    - c. not have an outstanding criminal sanction or criminal justice supervision except immediate family as defined in Section 3(E) of this Directive (in order to determine this, facility staff shall run COLLECT checks on sponsors for reentry, medial and regular furloughs);
    - d. be responsible and a positive influence;
    - e. sign CN 9802, Furlough Sponsor Questionnaire/Agreement and agree to notify facility of any violations; and,
    - f. not be the inmate's victim, unless approved by the appropriate District Administrator.

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- B. Upon authorization from the Commissioner, the Unit Administrator may approve all initial furloughs through the use of CN 9803, Furlough Agreement and CN 9804, Reentry Furlough Agreement or CN 9805 Reintegration Furlough Passbook, as appropriate.
- C. The Unit Administrator or designee may deny a furlough request. The reason for denial shall be stated in writing and delivered to the inmate via page 2 of form CN 9801, Furlough Application/Decision. The denial shall be documented on form CN 9202, Inmate Classification History Log in Section 5 of the inmate's master file. An inmate may appeal the decision to deny a furlough in accordance with Administrative Directive 9.6, Inmate Administrative Remedies.
- D. An inmate serving a sentence for a sex-related offense or having a history of sex-related offenses other than prostitution may be approved by the Commissioner or designee for furlough participation or by the Director of Parole and Community Services for reentry furloughs to voted-to-parole or special parole dates.

11. Community Notification.

- A. Law Enforcement Agency Notification. Local and state law enforcement authorities shall be notified of any inmate approved for a reentry furlough placement. Such notification shall be made by parole staff by completing a release authorization and a file 17 (FL-17).
- B. Judicial Office of Victim Services. In accordance with Section 54-231 of the Connecticut General Statutes and Administrative Directive 4.5, Victim Services, the Department shall notify the Judicial Office of Victim Services when an inmate is granted a furlough that allows the inmate to reintegrate into the community immediately preceding discharge or release to parole. Notification and documentation shall be through an automated process in accordance with Administrative Directive 4.5, Victim Services.
- C. Victim Notification. Victim notification shall be made in accordance with Administrative Directive 4.5, Victim Services.

12. Program Requirements.

- A. Furlough Agreement. An inmate approved for a furlough, other than a reentry furlough, shall agree by signature to the furlough conditions as enumerated on form CN 9803, Furlough Agreement. CN 9803, Furlough Agreement shall be issued to the inmate prior to leaving the facility.
  - 1. An inmate approved for a furlough other than a Reintegration Furlough shall carry CN 9803, Furlough Agreement at all times while on furlough status.
  - 2. An inmate approved for a Reintegration Furlough shall carry CN 9805, Reintegration Furlough Passbook at all times while on furlough status.
- B. Reentry Furlough Agreement. An inmate approved for a reentry furlough shall agree by signature to the furlough conditions as enumerated on form CN 9804, Reentry Furlough Agreement. CN 9804, Reentry Furlough Agreement shall be issued to the inmate prior to leaving the facility. An inmate approved for a reentry or reintegration furlough shall carry CN 9804, Reentry Furlough Agreement at all times while on furlough status.
- C. Out-of-State Furlough. An inmate approved for an out-of-state furlough shall waive extradition prior to each release on furlough.

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Notification shall be in accordance with Section 11(A) of this Directive.

- D. Compliance. An inmate approved for furlough shall comply with the conditions outlined on form CN 9803, Furlough Agreement or CN 9804, Reentry Furlough Agreement, as applicable. Failure to comply may result in disciplinary action, criminal prosecution, loss of furlough privilege and/or any other appropriate action.
13. Escape/Late Return from Furlough.
- A. Furlough (Other Than a Reentry Furlough). Any furloughed inmate who fails to return from a furlough (other than a reentry furlough) pursuant to Section 53a-169 of the Connecticut General Statutes shall be declared an escapee and referred for criminal prosecution in accordance with Administrative Directive 7.5, Escapes. Any failure to return on time shall result in disciplinary action in accordance with Administrative Directive 9.5, Code of Penal Discipline.
- B. Reentry Furlough. Any inmate on a reentry furlough who fails to report or notify his/her parole officer of a change of residence may be referred for criminal prosecution in accordance with Administrative Directive 7.5, Escapes.
- C. Reintegration Furlough. Any inmate on a reintegration furlough who fails to return from a reintegration furlough pursuant to Section 53a-169 of the Connecticut General Statutes shall be declared an escapee and referred for criminal prosecution in accordance with Administrative Directive 7.5, Escapes. Any failure to return on time shall result in disciplinary action in accordance with Administrative Directive 9.5, Code of Penal Discipline.
14. Remands from Furlough. The decision to remand an inmate from furlough shall be at the discretion of the Director of Parole and Community Services or designee in consultation with the Unit Administrator or the facility duty officer. The remand of inmates to custody shall be governed by Administrative Directive 11.3, Remand of Inmates to Actual Custody.
15. Furlough Violations. Violations of furlough conditions shall be documented on CN 6601, Incident Report in accordance with Administrative Directive 6.6, Reporting of Incidents. CN 9503, Disciplinary Report shall be completed and issued to the inmate in accordance with Administrative Directive 9.5, Code of Penal Discipline. If the inmate is on a furlough other than a reentry furlough, the facility shall complete CN 9503, Disciplinary Report. If the inmate is on a reentry furlough, the parole officer shall complete CN 9503, Disciplinary Report. The Unit Administrator shall review the situation to determine if the inmate did violate any provision(s) of this Directive, and if transfer to a higher-level security facility is necessary. Additionally, a notation shall be made to form CN 9202, Inmate Classification History Log in Section 5 of the inmate's master file.
16. Furlough Monitoring. All inmates on furlough shall be monitored for compliance with program requirements in accordance with the provisions enumerated on form CN 9803, Furlough Agreement or CN 9804, Reentry Furlough Agreement, as applicable.

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17. Reentry Furlough and Reintegration Furlough Supervision. Inmates granted reentry furlough or reintegration furlough shall be supervised by the Division of Parole and Community Services. The Director of Parole and Community Services shall develop, implement and update (as necessary) procedures for the supervision of inmates on reentry furlough and reintegration furlough.
18. Off-Grounds Work Details. Off grounds work details consistent with Administrative Directive 10.5, Public Service Work shall not be considered as furloughs.
19. Speaking Engagements/Escorted Functions. Unit Administrators shall be authorized to allow inmate participation in speaking engagements and other escorted functions as appropriate. Such engagements or functions shall be escorted by state, municipal or authorized contract personnel as appropriate.
20. Forms and Attachments. The following forms are applicable to this Administrative Directive and shall be utilized for the intended function.
  - A. CN 9801, Furlough Application/Decision;
  - B. CN 9802, Furlough Sponsor Questionnaire/Agreement;
  - C. CN 9803, Furlough Agreement; and,
  - D. CN 9804, Reentry Furlough Agreement;
  - E. CN 9805, Reintegration Furlough Passbook.
21. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.